

REMARKS

This amendment responds to the office action dated April 19, 2005.

The applicant has canceled all previously withdrawn claims.

The Examiner rejected claims 1, 3, 8, 11, and 13-14 under 35 U.S.C. § 103(a) as being unpatentable over Reinsch, U.S. Patent No. 5,565,933. The Examiner, though, asserts that Reinsch discloses all the claim limitations present in independent claim 1 and argues that it would be obvious to modify Reinsch to include “a projector that can modulate images faster than an observer can perceive flicker.” The quoted language, however, is not included as a limitation in any of the rejected claims. The applicant wants to clarify that this language cited by the Examiner is not a limitation of any presented claim.

Whether considered a rejection under 35 U.S.C. § 102 (anticipation) or 35 U.S.C. § 103 (obviousness), the Examiner’s rejection is improper. First, independent claim 1 includes the limitation of (1) a polarizing device – which the Examiner reads on the switch 20 shown in FIG. 1 of Reinsch; (2) at least one polarizing beam splitter that receives light previously received by the polarizing device – which the Examiner reads on the beam splitter 24 of Reinsch; (3) a projection source – which the Examiner reads on the lens 26 and screen 28 of Reinsch; and (4) a color component rotator *optically located between said polarizing device and said projection source*. Reinsch lacks this latter quoted limitation. Though the Examiner notes that Reinsch discloses three rotators 38, 40, and 48, each of these rotators are internal components of the switch that the Examiner considers *to be* the polarizing device. Hence, the Examiner cannot consistently argue that these internal parts of the polarizing device are optically located between that polarizing device and the projection source. The applicant further notes that the switch 20 is the only member of Reinsch that can be considered the *claimed* polarizing device because it is the only device between the light source and the polarizing beam splitter 24 (limitation (c) of claim 1).

Second, the rotators 38, 40, and 48 are not color component rotators. Rather than rotating the polarization of one color component while leaving other components unaltered, the rotators 38, 40, and 48 rotate the polarization of all three color components. That is why the device of

Reinsch needs three such rotators, each coupled with a color filter for a particular color component. In contrast, independent claim 1 requires a color component rotator, which is absent from Reinsch.

Finally, Reinsch only displays on the projector, light from one color component at a time but at a rate fast enough that a human perceives the displayed images in all three colors. However, the Examiner is correct that the system of Reinsch transmits light of different ranges simultaneously, because, at any given time one wavelength range is transmitted onto the display and the other two are transmitted elsewhere, i.e. discarded. Accordingly, independent claim 1 has been amended to recite “a projection lens for projecting said image . . . wherein said light of said first wavelength range and said second wavelength range are transmitted through said projection lens simultaneously.” The applicant notes that the whole purpose of Reinsch is to project light from different wavelength ranges through a projection lens sequentially rather than simultaneously. Therefore, Reinsch cannot be modified with any other reference in an obviousness rejection under 35 U.S.C. § 103(a) because Reinsch would teach away from the combination. Accordingly, the applicant respectfully requests reconsideration and allowance of claims 1, 3, 8, 11, and 13-14, as well as claims 2, 4, 6, and 10, the rejection of which was premised on a combination that included Reinsch.

The Examiner rejected claims 17, 18, and 24 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Reinsch and Huang, U.S. Patent No. 6,304,302. The Examiner’s rejection of independent claim 17 does not appear to consider the previous amendments made to the claim. For example, the Examiner recites that the cited combination discloses the limitations of “each of said color component rotators being located between said polarization converter and said projection source” and “wherein at least a portion of light passes through at least one of the color component rotators and at least a portion of light passes through another one of the color component rotators.” Both of these limitations were removed in a prior amendment. Conversely, the Examiner does not address the limitations that were added in the previous amendment, i.e. the claimed elements of “at least one wavelength selective color component rotator” and “at least three image generators.” Neither of these limitations is present in the cited combination. As stated previously, the rotators of Reinsch are not wavelength selective, but instead rotate light

Appl. No. 09/539,918
Amdt. dated October 19, 2005
Reply to Office action of April 19, 2005

form all wavelengths. Furthermore, because Reinsch successively projects light from each of all three color components, only one image generator is necessary because that image generator will initially reflect red light, then blue, then green. Absent simultaneous display, which Reinsch teaches away from, there would be no need for additional image generators.

For the foregoing reasons, the applicant respectfully requests that the Examiner withdraw the rejection of claims 17, 18, and 24, as well as claims 19 and 25 -28 which were also rejected under 35 U.S.C. § 103(a) in view of combinations involving Reinsch.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-4, 6, 8, 10, 11, 13, 14, 17-19, and 24-28.

Respectfully submitted,



Kevin L. Russell
Reg. No. 38,292
Tel No.: (503) 227-5631